

### REMARKS

This Amendment is submitted in response to the Office Action of August 12, 2004. Reconsideration of the above-identified application, as now amended, is respectfully requested.

Applicants acknowledge with appreciation the indication that claims 5, 8, 10 and 20 contain allowable subject matter. Claims 1-21 were heretofore pending. Claims 1, 4, 7, 9, 13, 14, 17 and 19 have been canceled, with claims 2, 3, 5, 6, 8, 10-12, 15, 16, 18, 20 and 21 having been amended. New dependent claims 22-27, 29-30 and 32-33, and new independent claims 28 and 31, have been added. No new matter has been added by way of this Amendment.

By the foregoing amendments, claims 5, 8, 10 and 20 have been placed into independent form. Since claims 5, 8, 10 and 20 were indicated to contain allowable subject matter, as noted previously, Applicants submit that these claims are now in condition for formal allowance.

New independent claims 28 and 31 have been added. Each of these claims includes the step of "*dynamically varying the first brightness level automatically in accordance with a sensed changeable predefined environmental condition* to define a primary data display brightness level at which the primary data is dynamically displayed to facilitate ease of viewing of the presented data with said predefined environmental condition...." Support for this limitations may be found at page 10, lines 14-19 of the specification. These limitations do not constitute new matter.

*Volkel '024* discloses a combination display unit and a display method for a motor vehicle with a primary display element and at least one secondary display element to indicate various regularly-detected operating parameters, in which one of the displays changes optically when a critical operating parameter is detected (see col. 1 lines 6-10).

*Futschik et al. '987* discloses a method for displaying primary and secondary information in a motor vehicle by reproducing symbols on a display (see col. 1, lines 6-8).

Each of these cited references, however, either individually or in combination with any known prior art, fail to teach the step of "*dynamically varying* the first brightness level *automatically* in accordance with *a sensed changeable predefined environmental condition* to define a primary data display brightness level at which the primary data is dynamically displayed to facilitate ease of viewing of the presented data with said predefined environmental condition," as set forth in new independent claims 28 and 31.


In the invention as recited in claims 28 and 31, the actual lux level of the so-called "full" display brightness will itself substantially vary as a function of a predetermined environmental condition, such as the current ambient light level in the aircraft cockpit or which is incident on the display, to thereby provide an image intensity appropriate to enable ready viewing of data and other images displayed under then-current environmental conditions. (See page 10, lines 16-19 of the specification).

New independent claims 28 and 31 recite that the brightness level at which the primary data is presented on the display is itself dynamically varied substantially in response to sensed changes in an environmental condition. The second variable brightness level for the secondary data will also correspondingly dynamically vary relative to the dynamically variable brightness level at which the primary data is presented. Thus, the brightness levels at which the primary and secondary data are presented will each dynamically substantially vary with respect to the other, for example as a function of the sensed ambient or incident light level in the cockpit. No such teaching or suggestion is present in any of the cited or known prior art. Applicants thus submit that new independent claims 28 and 31 are patentable over the prior art, and early notice to that effect is respectfully requested.

In view of the patentability of independent claims 5, 8, 10 and 20, and for the reasons set forth above, dependent claims 2, 3, 6, 11, 12, 15, 16, and 21, new dependent claims 22-27, 29-30, and 32-33, as well as new independent claims 28 and 31 are deemed patentable over the prior art.

Based on the foregoing amendments and remarks, this application is now believed to be in condition for allowance. Nevertheless, should the Examiner have any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite prosecution of the application for all concerned.

Respectfully submitted,  
COHEN, PONTANI, LIEBERMAN & PAVANE

By  #28,437,559  
For Lance J. Lieberman  
Reg. No. 28,437  
551 Fifth Avenue, Suite 1210  
New York, New York 10176  
(212) 687-2770

Dated: December 13, 2004